

Montana State Legislature

2013 Session

ADDITIONAL DOCUMENTS MAY INCLUDE THE FOLLOWING:

- **Business Report**
- **Roll Call – Attendance**
- **Standing Committee Reports**
- **Tabled Bills**
- **Fiscal Reports etc.**
- **Roll Call Votes**
- **Informational Items**
- **Witness Statements**
- **Any Documents; such as;**
 - * **Petitions if any.**
 - * **Any and all material handed end after the meeting ends.**

**The original is on file at the
Montana Historical Society
and may be viewed there.**

**Montana Historical Society
Archives
225 N. Roberts
Helena MT 59620-1201
2013 Legislative Scanner Susie Hamilton**

BUSINESS REPORT
MONTANA SENATE
63rd LEGISLATURE - REGULAR SESSION
SENATE LOCAL GOVERNMENT COMMITTEE

Date: Friday, March 8, 2013
Place: Capitol

Time: 3:00 PM
Room: 405

BILLS and RESOLUTIONS HEARD:

HB 245 - Authorize counties to dedicate park land - Rep. Champ Edmunds
HB 368 - Revise landlord tenant regarding abandoned property - Rep. Christy Clark
HB 446 - Revise offense of disorderly conduct - Rep. Nicholas Schwaderer

EXECUTIVE ACTION TAKEN:

Comments:



SEN. Edward Buttrey, Chair

MONTANA STATE SENATE
Roll Call
LOCAL GOVERNMENT COMMITTEE

DATE: 3-8-2013

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
SENATOR ED BUTTREY, CHAIRMAN	✓	
SENATOR JANNA TAYLOR, VICE CHAIR		✓
SENATOR SHANNON AUGARE	✓	
SENATOR DICK BARRETT		✓
SENATOR SCOTT BOULANGER	✓	
SENATOR SUE MALEK	✓	
SENATOR ALAN OLSON	✓	
SENATOR BRUCE TUTVEDT		✓
SENATOR GENE VUCKOVICH	✓	

MONTANA STATE SENATE
Visitors Register
SENATE LOCAL GOVERNMENT COMMITTEE

Friday, March 8, 2013

3:00 P.M.

Room 405

HB 245 - Authorize counties to dedicate park land
Sponsor: Rep. Champ Edmunds

PLEASE PRINT

Name	Representing	Support	Oppose	Info
Tim Ravndell	Self		X	
Shanti Siaperas	MT Assoc of Counties	X		
TOM REILLY	FWP / MONTANA STATE PARKS			
LINDA STOLL	MISSOULA County	✓		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA STATE SENATE

SENATE LOCAL GOVERNMENT COMMITTEE

3:00 P.M.

Sponsor: **Rep. Nicholas Schwaderer**

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA STATE SENATE
Visitors Register
SENATE LOCAL GOVERNMENT COMMITTEE

Friday, March 8, 2013

3:00 P.M.

Room 405

HB 368 - Revise landlord tenant regarding abandoned property
Sponsor: Rep. Christy Clark

PLEASE PRINT

Name	Representing	Support	Oppose	Info
Bill Staffeldt	Montana Landlords Assoc	X		
DONNA Kostecky	Gallatin Association of Realtors	X		
Don Lint	GALLATIN LINT REALTY, INC	X		
DUSTIN JACKSON	MANAGEMENT ASSOCIATES, INC	X		
Judy Foster	MAR	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

DOUGLAS E. NULLE
37D STONEY BROOK DRIVE
CLANCY, MT 59634
(406) 442-4073

*Additional
Doc. 5*

February 28, 2013

The Honorable Edward Buttrey
Chairman, Senate Local Government Committee
Montana Senate
PO Box 200500
Helena, MT 59620-0500

Dear Chairman Buttrey:

I understand that HB 446 is scheduled for hearing before the Senate Fish and Game Committee on March 8, 2013. I will be out of town on that date and accordingly, I am submitting my written testimony in support of this bill for inclusion in the record.

Thank you and have a great day!

Very truly yours,



DOUGLAS E. NULLE

DEN:dn
encls.
cc:file

Discharging firearms – common practice. The people of Montana fire firearms hundreds of thousands of times each year, with no intent to be disruptive. People shoot at elk, deer, antelope, moose, coyotes, prairie dogs, ducks, geese, grouse and wolves. People shoot at tin cans and paper targets. People shoot to test ammunition. People shoot to test rifles, pistols and shotguns. People shoot to sight in for hunting season. People shoot to practice self defense skills. People shoot in firearms safety classes, including Montana Hunter Education.

Under current law, every one of these “firing”s of a firearm is a crime. Worse, if an otherwise innocent person were arrested for and convicted of this crime, the federal government, under the Brady Law, would probably view this conviction as a “gun crime” and strip the convicted person of his or her ability to lawfully own or possess firearms, forever. There is a history of such interpretation and action.

Bad law. Any law that criminalizes such widespread but innocent conduct is a bad law. This definition of Disorderly Conduct needs to be simply repealed. The Legislature might as well pass a law declaring every person to be a criminal as to keep this definition on the law books and depend on selective prosecution for proper application.

How will it be possible to enforce against misuse of firearms? There will be plenty of laws left on the books to enforce against people doing bad things.

45-8-343. Firing firearms. - makes it a crime to discharge a firearm inside city limits, unless done in self defense.

45-5-207. Criminal endangerment -- penalty. (1) A person who knowingly engages in conduct that creates a substantial risk of death or serious bodily injury to another commits the offense of criminal endangerment.

45-5-208. Negligent endangerment -- penalty. (1) A person who negligently engages in conduct that creates a substantial risk of death or serious bodily injury to another commits the offense of negligent endangerment.

45-5-201. Assault can include negligently injuring another with a weapon, a misdemeanor.

45-5-202. Aggravated assault is knowingly causing injury to another, a felony.

45-5-213. Assault with weapon is when a person purposely or knowingly causes bodily injury to another or reasonable fear of serious bodily injury to another by use of a weapon or by what appears to be a weapon—a felony.

61-8-369. It is illegal to shoot from, onto or across a public roadway.

87-3-109. It is illegal to discharge a firearm at a wildlife decoy.